

FILED-CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEC 15 5:15 pm. In
~~8:50 AM '95~~

UNITED STATES OF AMERICA,

Plaintiff,

EAST. DIST. MICHIGAN
SOUTHERN DIV.-FLINT

v.

NO. 95-CR-50061

HON. PAUL V. GADOLA

D-1 DION ERIC SAVAGE;
D-2 CLAUDE LEON CARTER;
D-3 ERIC LYZELL SIMPSON;
D-4 WILLIAM MARTIN MONROE; and
D-5 MARTEZ RASON COLEMAN;

Defendants.

/

SUPERSIDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute Cocaine)
(21 U.S.C. §§841(a)(1) and 846)

D-1 DION ERIC SAVAGE;
D-2 CLAUDE LEON CARTER;
D-3 ERIC LYZELL SIMPSON;
D-4 WILLIAM MARTIN MONROE;
D-5 MARTEZ RASON COLEMAN;

That from approximately 1985 until the return of this superseding indictment, in the Eastern District of Michigan, DION ERIC SAVAGE, CLAUDE LEON CARTER, ERIC LYZELL SIMPSON, WILLIAM MARTIN MONROE, and MARTEZ RASON COLEMAN, defendants herein, did knowingly, intentionally and unlawfully conspire, combine, confederate and agree with each other and others, both known and unknown to the Grand Jury, to distribute cocaine, a Schedule II controlled substance.

15

All in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

COUNT TWO

(Possession with Intent to Distribute Cocaine)
(21 U.S.C. §841(a)(1))

D-3 ERIC LYZELL SIMPSON;

That on or about November 2, 1995, at or near 921 East Baltimore, Flint, in the Eastern District of Michigan, ERIC LYZELL SIMPSON, defendant herein, did knowingly, intentionally, and unlawfully possess with intent to distribute crack cocaine, a Schedule II controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

(Felon in Possession of Firearm)
(18 U.S.C. §922(g))

D-3 ERIC LYZELL SIMPSON;

That on or about November 2, 1995, at or near 921 East Baltimore, Flint, in the Eastern District of Michigan, ERIC LYZELL SIMPSON, defendant herein, having been convicted in Genesee County Circuit Court, Michigan, in May of 1990 of Uttering and Publishing, a crime punishable under Michigan law for a term exceeding one year, knowingly did possess a firearm, to wit: a New England Firearms .410 gauge, single-shot shotgun; in and affecting commerce; in violation of Section 18, United States Code, Section 922(g).

COUNT FOUR

(Felon in Possession of Firearms)
(18 U.S.C. §922(g))

D-1 DION ERIC SAVAGE;

That on or about November 30, 1995, at or near 8129 North Vassar Road, Mt. Morris, in the Eastern District of Michigan, DION ERIC SAVAGE, defendant herein, having been convicted in 1985 in Genesee County Circuit Court, Michigan, of Attempted Larceny from a Building, a crime punishable under Michigan law for a term exceeding one year, knowingly did possess firearms, to wit:

1. A Mossberg 12 gauge shotgun;
2. A Marlin 12 gauge bolt action shotgun;
3. A Mossberg 20 gauge pump shotgun;
4. A Marlin .22 caliber bolt action rifle, Model 381;
5. A Marlin .22 caliber semi-automatic rifle, Model 160; and
6. An A. A. Arms 9 mm semi-automatic pistol;

in and affecting commerce; in violation of Section 18, United States Code, Section 922(g).

COUNT FIVE

(Possession with Intent to Distribute Cocaine)
(21 U.S.C. §841(a)(1))

D-2 CLAUDE LEON CARTER;

That on or about November 30, 1995, at or near 814 East Marengo, Flint, in the Eastern District of Michigan, CLAUDE LEON CARTER, defendant herein, did knowingly, intentionally, and

unlawfully possess with intent to distribute crack cocaine, a Schedule II controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX

(Possession with Intent to Distribute Cocaine)
(21 U.S.C. §841(a)(1))

D-4 WILLIAM MARTIN MONROE;

That on or about December 14, 1995, at or near Saginaw Street, between Jamison and McClellan Streets, Flint, in the Eastern District of Michigan, WILLIAM MARTIN MONROE, defendant herein, did knowingly, intentionally, and unlawfully possess with intent to distribute crack cocaine, a Schedule II controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVEN

(Possession with Intent to Distribute Cocaine)
(21 U.S.C. §841(a)(1))

D-5 MARTEZ RASON COLEMAN;

That on or about December 14, 1995, at or near 718 E. Carpenter, Flint, in the Eastern District of Michigan, MARTEZ RASON COLEMAN, defendant herein, did knowingly, intentionally, and unlawfully possess with intent to distribute crack cocaine, a Schedule II controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

FORFEITURE ALLEGATION
(21 U.S.C. §853)

D-1 DION ERIC SAVAGE

The allegations contained in Count One are alleged and are incorporated by reference for the purpose of alleging a Forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

Upon conviction for a violation of Title 21, United States Code, Section 841(a)(1) and 846, DION ERIC SAVAGE shall forfeit to the United States:

- (a) Any property constituting, or derived from, any proceeds DION ERIC SAVAGE obtained, directly or indirectly, as a result of such violations;
- (b) Any of DION ERIC SAVAGE's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violations;

said property including, but not limited to, what is commonly known as:

1. 8129 North Vassar Road, Mt. Morris, MI 48458, Genesee County Michigan being more fully described as:

A parcel of land beginning South 2 degrees 15 minutes 40 seconds West 1126.90 feet from East 1/4 corner of Section; thence South 2 degrees 15 minutes 40 seconds West 188.49 feet; thence North 82 degrees 48 minutes 20 seconds West 330 feet; thence South 2 degrees 15 minutes 40 seconds West 330 feet; thence North 82 degrees 48 minutes 20 seconds West 292.29 feet; thence North 2 degrees 15 minutes 40 seconds East 784.49 feet; thence South 82 degrees 48 minutes 20 seconds East 292.29 feet; thence South 2 degrees 15 minutes 40 seconds West 266feet; thence South 82 degrees 48 minutes 20 seconds East 330 feet to the place of

beginning, Section 1, town 8 north, range 7 east.

2. a 1995 Black/yellow Dodge Viper, VIN 1B3BK65EXSV200512;
3. a 1993 Honda four wheel, VIN JH3TE1808PT001059;
4. a 1993 Honda four wheel, VIN JH3TE190XPT007105;
5. a 1993 Kawasaki motorcycle, VIN JKAZXBD15PB500696;
6. a 1991 Kawasaki motorcycle, VIN JKAZXBC14MB503456;
7. a 1986 Cadillac two door, VIN 1G6CD4787G4232511;
8. a 1991 Ford Mustang convertible, VIN 1FACP45E7MF151737; and
9. a 1993 Chevrolet sport van, VIN 1GBEG25K2PF357974;

If any of the above described forfeitable property, as a result of any act or omission of the defendant--

- 1) has been transferred or sold to, or deposited with, a third person;
- 2) has been substantially diminished in value; or
- 3) has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States

Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

THIS IS A TRUE BILL.

Karen Turner

FOREPERSON

Dated: 12-15-95

SAUL A. GREEN
UNITED STATES ATTORNEY

Robert W. Haviland

Robert W. Haviland (P25665)
Asst. U. S. Attorney-in-Charge

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FELONY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGANFILED-CLERK
U.S. DISTRICT COURT

CRIMINAL CASE COVER SHEET

DEC 15 8 57 AM '95

U.S.A. v.

County in which
offense occurred: Genesee
EAST. DIST. MICHIGAN
SOUTHERN DIV.-FLINT

D-1 DION ERIC SAVAGE;
 D-2 CLAUDE LEON CARTER;
 D-3 ERIC LYZELL SIMPSON;
 D-4 WILLIAM MARTIN MONROE; and
 D-5 MARTEZ RASON COLEMAN

*Gadola*I. Case Classification (fill in appropriate spaces)

- New Case: not related to any pending case and no prior complaint.
- New case: not related to any pending case and based on prior or pending complaint number:

XX Superseding Case:

1. Superseding to case number _____ assigned to Judge _____. Original case was terminated on motion, does not contain additional defendants or charges.
2. Superseding to case number _____ assigned to Judge _____. Corrects errors in names, places, etc., does not contain additional defendants or charges.
3. Superseding to case number _____ assigned to Judge _____. Involves different charges or added counts for purposes of plea only.
4. Superseding to case number 95-CR-50061 assigned to Judge Gadola. Embraces same subject matter but contains the following additional defendants or charges:

DefendantCharges

ERIC LYZELL SIMPSON	One, Two, and Three
WILLIAM MARTIN MONROE	Counts One and Six
MARTEZ RASON COLEMAN	Counts One and Seven

- II. This case might be designated a companion case in accordance with Local Rule 100.2(b)(7): Companion Case Number(s) _____.
- III. If any other indictments or informations have been filed on other defendants named in the original complaint, please list those defendants' names below:

Dated: 12-15-95

for Robert W. Hamland,
 Mark C. Jones
 Assistant U.S. Attorney